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2002/003

United States District Court SOUTHERN DISTRICT OF NEW YORK

LYON FINANCIAL SERVICES, INC. D/B/A USBANCORP, MANIPEST FUNDING SERVICES

CIVIL ACTION No. 08 CTV. 6054 (KMK)

Plaintiff

-against-

STIPULATION AND ORDER Extending Time to Answer

BANNER PHYSICIANS CAPITAL, INC. A/K/A BANNER PHYSICIANS CAPITAL A/K/A BANNER CAPITAL, INC. A/K/A BANNER CAPITAL VENTURES, LLC A/K/A Benchmark Capital, Ravee Shrinivas, Metro Medical Supplies, Inc. and Ganga Mukkavilli

Defendants.

IT IS HEREBY STIPULATED AND AGREED between and among the undersigned attorneys, that the time for the defendants, Banner Physicians Capital, Inc. a/k/a Banner Physicians Capital a/k/a Banner Capital, Inc. a/k/a Banner Capital Ventures, LLC a/k/a Benchmark Capital ("Banner Capital") and Ravee Shrinivas, to answer, move or otherwise respond to the complaint, shall be, and the same hereby is, extended through and including August 25, 2008.

Any fully-executed counterpart of the present stipulation, including any with one or more photocopied or facsimile signatures, shall be useable as an original for all purposes. Any party may, without notice, submit any fully-executed counterpart of the present stipulation to the Court to be "So Ordered," or to the Clerk to be filed.

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LAW OFFICES OF CHARLES A GRUEN > 19144067010

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Dated: August 6, 2008

LAW OFFICES OF CHARLES . GRUEN

Charles A. Gruen [CG 5456] Attorneys for Plaintiff 381 Broadway, Suite 300 Westwood, NJ 07675 (201) 342-1212

RAND ROSENZWEIG RADLEY & GORDON LLP

By:

Charles L. Rosenzweig [CR 7622] Attorneys for Defendants Banner Capital and Ravee Shrinivas 50 Main Street, 12th Floor White Plains, New York 10606 (914) 406-7000

it is So Ordered:

U.S.D.J.

8/4/08